IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 5TH NOVEMBER 2007 / 14TH KARTHIKA 1929

Crl.Rev.Pet.No. 327 of 2007()

CRA.648/2005 of ADDL.SESSIONS COURT (ADHOC), ALAPPUZHA
CC.75/2005 of JUDL.MAGISTRATE OF FIRST CLASS-II(MOBILE), ALAPPUZHA

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REVN. PETITIONER: APPELLANT/ACCUSED.

P.K.RAGHUVARAN, S/O. KUTTAPPAN,
PROPRIETOR, SHEEBA COIR INDUSTRIES,
WEST OF N.C.JOHN & SONS (P) LTD., THUMPOLY,
ALAPPUZHA.

BY ADV. SRI.K.S.HARIHARAPUTHRAN
SRI.GEORGE MATHEW

RESPONDENTS: RESPONDENTS/COMPLAINANT.

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1. JOSE JOSEPH, AGED 24 YEARS,
S/O. LATE K.C.JOSEPH, KALAPPURACKAL, THIRUMALA WARD, ALAPPUZHA.

2. STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,ERNAKULAM.

BY ADV. SRI.SUNIL KUMAR A.G
PUBLIC PROSECUTOR SRI. C..M. NAZER

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 5-11-2007 , THE COURT ON 05/11/2007 PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Crl.R.P. No. 327 OF 2007

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Dated: 05-11-2007

ORDER

The accused in C.C. No. 75 of 2005 on th**e file** of the J.F.C.M.II, Alappuzha for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the courts below.

2. Pending this revision, the parties have settled the matter. Crl.M.A.No. 11510 of 2007 has been filed under Section 147 of the Negotiable Instruments Act, 1881 seeking permission to record the composition entered into between the revision petitioner and the complainant. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. In the light of this development, the aforementioned composition is recorded and it will have the effect of an acquittal of the revision petitioner within the meaning of Sec. 320 (8) Cr.P.C. Money, if any, deposited by the revision petitioner pursuant to the orders, if any, passed by the lower appellate court shall be refunded to the revision petitioner/accused.

This Crl. R.P. is disposed of as above.

V. RAMKUMAR,
(JUDGE)

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